

The United States of America

To all to whom these presents shall come, Greeting:

Patent

AA-10515

This patent is issued by the UNITED STATES, Department of the Interior, Bureau of Land Management, 222 West Seventh Avenue, #13, Anchorage, Alaska 99513-7504, as GRANTOR, to Sealaska Corporation, One Sealaska Plaza, Suite 400, Juneau, Alaska 99801-1276 as GRANTEE, for lands in the Sitka Recording District.

WHEREAS

Sealaska Corporation

is entitled to a patent pursuant to Sec. 14(h)(1) of the Alaska Native Claims Settlement Act of December 18, 1971, 43 U.S.C. § 1613(h)(1), of the surface and subsurface estates in the following-described lands, which were transferred by Interim Conveyance No. 1273 issued September 30, 1986:

U.S. Survey No. 13278, Alaska.

Containing 17.09 acres, as shown on the plat of survey officially filed on June 19, 2006.

NOW KNOW YE, that there is, therefore, granted by the UNITED STATES OF AMERICA, unto the above-named corporation the surface and subsurface estates in the lands above described; TO HAVE AND TO HOLD the said lands with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereunto belonging, unto the said corporation, its successors and assigns, forever.

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EXCEPTING AND RESERVING TO THE UNITED STATES from the lands so granted:

Pursuant to Sec. 17(b) of the Alaska Native Claims Settlement Act of December 18, 1971, 43 U.S.C. § 1616(b) (1976), the following public easements, referenced by Easement Identification Number (EIN) on the easement maps, copies of which can be found in the Bureau of Land Management's public land records, are reserved to the United States. All easements are subject to applicable Federal, State, or Municipal corporation regulation. The following is a listing of uses allowed for each type of easement. Any uses which are not specifically listed are prohibited.

25 Foot Trail - The uses allowed on a twenty-five (25) foot wide trail easement are: travel by foot, dogsleds, animals, snowmobiles, two- and three-wheeled vehicles, and small all-terrain vehicles (ATV's) (less than 3,000 lbs. Gross Vehicle Weight (GVW)).

100 Foot Proposed Road - The uses allowed on a one hundred (100) foot wide road easement are: travel by foot, dogsleds, animals, snowmobiles, two- and three-wheeled vehicles, small and large all-terrain vehicles (ATV's), tracked vehicles, four-wheel-drive vehicles, automobiles, and trucks. All roads in this category must be proposed for construction within a five-year period. If the road is not constructed, the easement will be reduced to a trail and the uses will be consistent with the trail width. If, after the road has been constructed, a lesser width is sufficient to accommodate the road, the easement shall be reduced to a 60-foot wide road easement.

60 Foot Road - The uses allowed on a sixty (60) foot wide road easement are: travel by foot, dogsleds, animals, snowmobiles, two and three-wheeled vehicles, small and large all-terrain vehicles (ATV's), tracked vehicles, four-wheel-drive vehicles, automobiles, and trucks.

One Acre Site - The uses allowed for a site easement are: vehicle parking (e.g., aircraft, boats, ATVs, snowmobiles, cars, trucks), temporary camping, and loading or unloading. Temporary camping, loading, or unloading shall be limited to 24 hours.

- a. (EIN 1 D9 G C4 C5) An easement twenty-five (25) feet in width for an existing trail running southerly along the west shore of Sitkoh Bay to site easement (EIN 3 D1 C4 C5 at the mouth of Sitkoh Creek; thence, westerly generally paralleling the left bank of Sitkoh Creek to public lands. The trail is within Sec. 22, T. 50 S., R. 65 E., Copper River Meridian. The uses allowed are those listed above for a twenty-five (25) foot wide trail easement.
- b. (EIN 3 D1 C4 C5) A one (1) acre site easement located adjacent to the mouth of Sitkoh Creek on the left bank. The site is in the center of Sec. 22, T. 50 S., R. 65 E., Copper River Meridian. The uses allowed are those listed above for a one (1) acre site easement.
- c. (EIN 4 C4 C5 D1) An easement twenty-five (25) feet in width for an existing trail generally paralleling the west shore of Sitkoh Bay from Chatham north to site EIN 3 D1 C4 C5. This trail is located in Sec. 22, T. 50 S., R. 65 E., Copper River Meridian. The uses allowed are those listed above for a twenty-five (25) foot wide trail easement.
- d. (EIN 2 G) A one-hundred (100) foot wide easement for a proposed road. This road runs along the western shore of Sitkoh Bay and connects Forest Service Roads 7545 and 7552. This easement is located in Sec. 22, T. 50 S., R. 65 E., Copper River Meridian; it is to the west of trail easements EIN 4 C4 C5 D1 and EIN 1 D9 G C4 C5. The uses allowed are those listed above for a one-hundred (100) foot wide road easement. Should construction not begin within the five years of the date of conveyance this road shall be reduced to a road easement sixty (60) feet in width. The uses allowed would then be those listed above for a sixty (60) foot wide road easement.

THE GRANT OF THE ABOVE-DESCRIBED LANDS IS SUBJECT TO:

1. Valid existing rights therein, if any, including but not limited to those created by any lease, contract, permit, right-of-way, or easement, and the right of the lessee, contractee, permittee or grantee to the complete enjoyment of all rights, privileges, and benefits thereby granted to him. Further, pursuant to Sec. 17(b)(2) of the Alaska Native Claims Settlement Act of December 18, 1971 (ANCSA), 43 U.S.C. § 1616(b)(2) (1976), any valid existing right recognized by ANCSA shall continue to have whatever right of access as is now provided for under existing law; and

2. A covenant, running with the land, providing that (1) Sealaska Corporation shall not authorize mining or mineral activities of any type; nor shall it authorize any use which is incompatible with or is in derogation of the values as a cemetery site/historical place (the standards for determining incompatibility or derogation are found in 36 CFR § 800.3 (1982) which contains the Advisory Council on Historic Preservation criteria of effect and adverse effect); and (2) that the United States reserves the right to seek enforcement of the covenant in an action in equity.

IN TESTIMONY WHEREOF, the undersigned authorized officer of the Bureau of Land Management, in accordance with the provisions of the Act of June 17, 1948 (62 Stat. 476), has, in the name of the United States, caused these letters to be made Patent, and the Seal of the Bureau to be hereunto affixed.

GIVEN under my hand, in Anchorage, Alaska, the TWENTY-SIXTH day of JUNE, in the year of our Lord two thousand and SEVEN and of the Independence of the United States the two hundred and THIRTY-FIRST.

By /s/ Mark W. Fullmer
Mark W. Fullmer
Chief, Branch of Adjudication II

Location Index for Recording Information:
USS 13278: Sec. 22, T. 50 S., R. 65 E., CRM

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